

# DOCKETED

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

MIDWAY MANUFACTURING COMPANY: Deposition of  
vs. : Joseph Aubrey Frisbie,  
THE MAGNAVOX COMPANY : Jr.  
and :  
SANDERS ASSOCIATES, INC. : 74 Civ 1657 CBM  
----- :  
: Robert L. Wright,  
: 150 Nassau Street,  
: New York, New York  
: 10038.

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

THE MAGNAVOX COMPANY, et al : Consolidated Actions  
vs. : 74 C 1030 ✓  
: 74 C 2510 ✓  
BALLY MANUFACTURING : 75 C 3153  
CORPORATION, et al : 75 C 3933  
----- :  
: Louis E. Bolin,  
: 1001 N. Dearborn,  
: Chicago, Ill.

Deposition taken pursuant to

subpoena and notice at the Sanders Associates, Inc.,

Headquarters, Spit Brook Road, Nashua, New Hampshire;

Monday, April 26, 1976; commencing at ten o'clock in the  
forenoon.

**FILED**

OCT - 8 1976

ERNEST W. NOLIN & ASSOCIATES

General Stenographic Reporters

369 ELGIN AVE., MANCHESTER, N. H. 03104

TELEPHONE: 623-6906

H. STUART CULLENBACH, CLERK  
UNITED STATES DISTRICT COURT

ORIGINAL

A. Joseph Aubrey Frisbie PRESENT:

Q. How do you spell your name?  
A. F-r-i-s-b-i-e.  
For Midway Manufacturing Company,  
Bally Manufacturing Corporation  
and Empire:

Q. Where do you live?  
A. 147 New Drive, Merrimack, New Hampshire.

Q. Are you employed?  
A. Yes.

Q. For whom?  
A. Sanders Associates.  
For Ateri, Inc.:  
Flehr, Hohbach, Test, Albritton  
& Herbert, by Edward S. Wright,  
Esq., 160 Sansome Street,  
15th Floor, San Francisco,  
California.

Q. In what capacity are you employed?  
A. I am systems software engineer.  
For Sanders Associates, Inc.,  
and Magnavox Company:

Q. How long have you been employed?  
A. I guess about four to five years.  
Theodore W. Anderson, Esq.,  
77 West Washington Street,  
Chicago, Illinois.

Q. What are your duties?  
A. Running a department.  
For Sanders Associates:

Q. My primary responsibilities are the systems  
software on our two mainframes, the 370 and  
the 378 system.  
Louis Etlinger, Esq., and  
Richard I. Seligman, Esq.,  
Daniel Webster Highway, South,  
Nashua, New Hampshire.

Q. Are these your names?  
A. Yes.  
Stenotype Reporter:  
Ronald J. Hayward

Q. Are these your names?  
A. Yes.  
JOSEPH AUBREY FRISBIE, Jr. of other  
called as a witness, being first duly sworn, was examined  
and testified as follows:

Q. (Interrogatories by Mr. Welsh.)-10?

Q. What is your full name?

*Q. Testimony by 28 May 76*

11 A. Joseph Aubrey Friskie, Jr. is the 370 system?

2 Q. How do you spell your last name?

12 A. F-r-i-s-b-i-e. of some department at Sanders?

3 Q. Where do you live, Mr. Frisbie? sea division.

13 A. Matthew Drive, Merrimack, New Hampshire.

4 Q. Are you employed? director, Hank Brodie.

14 A. Yes. at Sanders do you work physically?

5 Q. By whom? headquarters building.

15 A. Sanders Associates. headquarters building?

6 Q. In what capacity are you employed by Sanders?

16 A. I am systems software manager.

7 Q. How long have you held that position?

17 A. I guess about four to five years now.

8 Q. What are your duties in that position?

18 A. Running a department of about, say, a dozen people.

A. My primary responsibilities are the systems

19 Q. software on our two machines, the PDP-10 and

A. the 370 system facility. There are many computers.

20 Q. Are these computers of manufacture of other

A. companies? offhand. Some of them I can mention.

A. Yes. PDP-11, Hewlett-Packard, Varian.

10 Q. Of whose manufacture is the PDP-10? as to what

A. Digital Equipment Corporation. position as.

*W. H. Jr. 28 May 76*

Q. And of whose manufacture is the 370 system?

A. IBM. I direct the activities of the department.

Q. Are you a part of some department at Sanders?

A. I am part of the computer sciences division.

Q. To whom do you report??

A. To the divisional director, Hank Brodie. Under my

Q. Where at Sanders do you work physically?

A. In the Headquarters building. you programmers?

Q. And, where in the Headquarters building? programmers.

A. The north wing, basement. for Sanders?

Q. Are both computers located there?

A. Yes. position did you hold prior to becoming

Q. Does Sanders have any other computers?

A. Yes. a supervisor of Tele Communications Section.

Q. Do you have anything to do with those?

A. No. supervisor of Tele Communications section.

Q. Where are they located? that job?

A. Throughout the facility. There are many computers.

Q. What computers are they? division or department?

A. I don't know offhand. Some of them I can mention.  
The PDP-11, Hewlett-Packard, Varian.

Q. Could you be a little more specific as to what  
your duties are in your present position as



A. systems software manager?

A. I guess I direct the activities of the department.

A. This constitutes normal administration-type

Q. activities.

Q. Assign jobs and so forth?

A. To assign jobs, yes, to various people under my direction.

Q. Are the persons who work under you programmers? in

A. Yes, they would be considered senior programmers.

Q. How long have you worked for Sanders?

A. Since December of 1966.

Q. What position did you hold prior to becoming systems software manager?

A. I was a supervisor of Telecommunications Section.

Q. I didn't get that, excuse me?

A. Supervisor of Telecommunications section.

Q. How long did you hold that job?

A. About two years.

Q. Was that a part of some division or department?

A. That was part of the Corporate System Software Department.

Q. Was that department a part of the computing sciences division?

MR. WELSH: Just to make the

A. Yes. And also, I didn't know what tele communications

Q. Whom did you report to in that position? at so the

A. The person's name?

Q. Yes. MR. WELSH: Well, read the

A. Michael O'Connell. please?

Q. And what were your duties as supervisor of the  
(what was, the previous  
Tele Communications section?

A. Let's see, direct the activities of two people in  
(question was read back  
by the reporter.)  
the development of communications, tele communications-  
type software. THE WITNESS: Yes.

Q. What do you mean by tele communications? th?

A. It is the use of communications for the transfer  
of computer-oriented information. of communications?

Q. What types of communications?

A. I guess I don't understand.

Q. Well, I don't either, I am just trying to find out.  
You say communications, telephone? and of

A. Common carrier facilities is one example. a

Q. That was something you actually worked with? or  
a period of time when MR. ANDERSON: Well, I object,  
Mr. Welsh, I think we are far afield. I see no  
relevance whatsoever. MR. WELSH: The answer

the question.

MR. WELSH: Just to make the

record clear, I didn't know what tele communications  
he was referring to and I think it is just so the  
record is clear.

Q. Could you explain the MR. ANDERSON: Well, read the  
question again, please? Machine A to Machine B.

Q. What computers did you work with in the tele  
(Whereupon, the previous  
communications section?

question was read back  
A. PDP-10, 370, Sandac 200.  
by the reporter.)

Q. Of whose manufacture was the Sandac 200?

A. Sanders Associates. THE WITNESS: Yes.

Q. And what common carriers did you work with?

A. Bell Telephone, certainly the local offices.

Q. Did you work with any other types of communications?

A. Yes. quarters building.

Q. What? same location?

A. Yes. MR. ANDERSON: Again I object;

Q. I see no relevance at all to what kind of supervisor  
communications this witness worked with in a

A. two-year period of time that he testified to

A. a period of time when he testified that he was

Q. in the tele communications group.

A. MR. WELSH: You may answer

Q. the question. MR. WELSH: You may answer

A. I was an applications programmer. MR. ANDERSON: You may answer.  
Q. For what period? THE WITNESS: I guess it was  
A. Sanders developed.  
Q. Could you explain that to me? MR. ANDERSON: One year?  
A. Stringing a wire from Machine A to Machine B.  
Q. What computers did you work with in the telecommunications section?  
A. PDP-10, 370, Sandac 200.  
Q. Of whose manufacture was the Sandac 200?  
A. Sanders Associates.  
Q. Where among the Sanders facilities did you do your work as supervisor of telecommunications section?  
A. Headquarters building.  
Q. The same location? THE WITNESS: That is all. When I use the  
A. Yes.  
Q. What did you do prior to your work as supervisor of telecommunications section?  
A. I was a software programmer in that same group or section.  
Q. For how long did you hold that position?  
A. About a year or so. MR. ANDERSON: I object. You  
Q. Did you have another position at Sanders prior to that?

A. I was an applications programmer.

Q. For what period?

A. Approximately a year.

MR. ANDERSON: One year?

THE WITNESS: Approximately.

Q. Did you hold any other positions prior to that?

A. No.

Q. What computers did you work with as a software programmer in the tele communications group?

A. The IBM machines and the DEC machine.

Q. The PDP-10?

A. Yes.

Q. And when you were applications programmer, what computers did you work on?

A. The IBM machines. That is all. When I use the words "IBM machines," I am referring to 360's as well.

Q. Are you familiar with a PDP-1 computer manufactured by Digital Equipment Corporation?

A. Yes.

Q. When did you first become familiar with that?

MR. ANDERSON: I object. You

mean as a piece of equipment that DEC made or

existed, is that your question?

Q. How did you understand MR. WELSH: Yes, he said he

A. was familiar with it and I asked him when he

Q. first became familiar with it.

A. I can't name someone THE WITNESS: I guess around  
the 1968 or '69 time frame.

Q. In your work as a software programmer, were you  
also located here in the Headquarters building?

A. Yes. Excuse me - yes, as a software programmer.

Q. Then in your work as an applications programmer,  
where were you located? building?

A. Canal Street. Can you put into use?

Q. How did you first become familiar with the PDP-1?

A. computer of Digital Equipment Corporation? used.

A. I saw it shipped here. what?

Q. That was a specific PDP-1 computer? I object,

A. Yes. answered the question. He mentioned that it

Q. And where did you see it shipped to?

A. To the Headquarters building here. and when it was

Q. In the computer sciences division?

A. Yes.

Q. Where did the computer come from? could not be

A. I don't know specifically. I understand it came

A. from Bedford. It is

Q. How did you understand that? Wires & maintenance

A. Through conversation.

Q. With whom? maintenance crews from DEC?

A. I can't name someone specifically, but people

Q. within the division. by putting the PDP-1 into

Q. Did anyone accompany the PDP-1 when it was brought from Bedford? Crews from DEC?

A. I don't know.

Q. Was the PDP-1 put into use when it was brought here to the Headquarters building?

A. What do you mean by put into use?

Q. Well, was it just stored or was it actually used?

A. Let's see, it was put into condition to be used.

Q. What do you mean by that?

A. MR. ANDERSON: I object,

Q. he answered the question. He mentioned that it was put into condition to be used.

Q. Was it not in a condition to be used when it was brought here? idle?

A. Yes.

Q. What was wrong with it so that it could not be used?

A. When a computer goes through shipping, it is dismantled usually and it requires a maintenance crew to install it.

Q. Were these maintenance crews from DEC?

A. Yes.

Q. Is that what you meant by putting the PDP-1 into condition for use; that is, installation by maintenance crews from DEC?

A. Yes.

Q. After it was put into condition for use, was it used?

A. Yes.

Q. To what use was it put?

A. Nonspecific use.

Q. Any use that you know of?

A. No.

Q. Was the PDP-1 located in the same facility where you worked?

A. Yes.

Q. Did it just sit idle?

A. No.

Q. Then somebody used it?

A. Yes.



Q. Who used it? or manager of a department.

A. I don't know.

Q. Do you know of any use to which it was put?

A. No. you acquainted with him in any other way?

Q. Do you have any idea or belief as to what use

the PDP-1 computer was put to? with him in that

A. It was a nonspecific use.

Q. And what was that? say; I don't recall specifically.

A. I guess anybody that wanted to use it for something,

A. could. a year or two, yes.

Q. Did you ever use it? the Headquarters building in

A. No. computer facility?

Q. Are you acquainted with a Ted Mairson?

A. Yes. the time that you were acquainted with him.

Q. How are you acquainted with him?

A. He currently works for me. general use or is it

Q. How long has he worked for you?

A. About six months. a relative of the

Q. Were you acquainted with him prior to that?

A. Yes. the place where the computer is located

Q. How? any other use of the computer?

A. Various capacities. a relative of the

Q. What were they? a relative of the

A. He was a former manager of a department. -ment?

Q. What department?

A. Corporate computation and analysis. - and a half

Q. Were you acquainted with him in any other way?

A. No.

Q. For how long were you acquainted with him in that

A. capacity? - know him longer than that. I can't

A. It is difficult to say; I don't recall specifically.

Q. A year or two? would say somewhere in the neighborhood

A. About a year or two, yes.

Q. Did he also work in the Headquarters building in

A. the computer facility?

A. At that time??

Q. At the time that you were acquainted with him.

A. Yes. he has been working under you?

Q. Does that facility have a general name or is it

Q. the computer sciences division? - with him at any

A. Corporate computer sciences division is the

A. official name. -ment manager when he held that

Q. Does the space where the computers are located

Q. have any particular designation? - in?

A. Computer room. - - - - -

Q. Were you acquainted with Mr. Mairson prior to

the time that he was manager of the department?

A. No. ~~and that question and it was answered.~~

Q. So you have only known him about two and a half years?

A. No. I met him today for the first time, that I

Q. At the most?

A. No, I have known him longer than that. I can't recall specifically when he was manager of that department. I would say somewhere in the neighborhood of three or four years. ~~I've computers or any~~

Q. Did you ever have occasion to work with him?

A. Yes. ~~and I need an explanation, what do you hear~~

Q. When was that?

A. Within the last six months. ~~him, did it involve a~~

Q. When he has been working under you?

A. Yes. ~~MR. ANTHONY: Well, I object;~~

Q. Have you had any occasion to work with him at any other time? ~~at that time. You asked him whether~~

A. Just as a department manager when he held that position. ~~time. That is what my notes indicate.~~

Q. What department did he manage again?

A. Corporate computing <sup>ANALYSIS</sup> ~~ANALYSIS and computation.~~

~~department manager.~~

*John F. 23 May 76*

MR. ANDERSON: You already asked that question and it was answered.

Q. How about Gordon Green, are you acquainted with him?

A. No. I met him today for the first time, that I can recall, anyhow.

Q. Had you seen him before today?

A. I think I may have.

Q. Did your work with Mr. Mairson when he was department manager involve computers or any computer?

A. I guess I need an explanation, what do you mean by that?

Q. Well, when you worked with him, did it involve a computer such as the PDP-10?

A. MR. ANDERSON: Well, I object; I don't think that he testified that he worked with Mr. Mairson at that time. You asked him whether he knew Mr. Mairson and he said that he knew him as of that time. That is what my notes indicate.

Q. Did you work with Mr. Mairson?

A. I worked with Mr. Mairson as, say, a fellow department manager.

(By the reporter.)

Q. Could you be more specific as to what that work involved?

A. That would be resolving departmental differences working on division plans as they relate across departmental bounds, administrative functions, things of that nature.

Q. How long was the PDP-1 in use after it was conditioned to be used? located in a storeroom in the north wing.

MR. ANDERSON: I object to the

Q. question as vague and ambiguous. He didn't say

A. that there was any continuity of use at all and

Q. there is no foundation at all for the question.

A. All he said is that it was used. That he never

Q. used it and that it was a nonspecific use.

A. It was available for MR. WELSH: You may answer the

Q. question. Have anything to do with the PDP-1 being

taken out of use? MR. ANDERSON: If you can,

A. you may answer the question.

Q. Did you have anything? THE WITNESS: It would you?

A. repeat it, please? the topic came up and I was

one of many poled to determine if I had a spe

(Whereupon, the previous

use for it or any suggestions as to what to

question was read back

by the reporter.)

Q. I will ask another question. Is the PDP-1 still  
A. in use?  
A. No, a decision made at any of those meetings to  
Q. Is it still located here at Sanders?  
A. Yes, to the best of my knowledge.  
Q. Where is it located?  
A. The last time I saw it, which was in October of  
'75, it was located in a storeroom in the north  
wing.  
Q. Do you know when it was put there?  
A. Not specifically.  
Q. Do you have any idea?  
A. A year or two years ago.  
Q. Was it used up to that time?  
A. It was available for use, so I don't know  
Q. Did you have anything to do with the PDP-1 being  
taken out of use?  
A. Not directly.  
Q. Did you have anything to do with it indirectly?  
A. Management meetings, the topic came up and I was  
one of many poled to determine if I had a specific  
use for it or any suggestions as to what to do with  
it.

Q. And what did you reply? observe whether it was

A. I have no use for it.

Q. Was a decision made at any of those meetings to

put it out of use? it was put in the storeroom?

A. What do you mean by put it out of use?

Q. Well, you said it was used until it was put in the storeroom. the storeroom? Of course, I don't know.

A. Just as I mentioned MR. ANDERSON: I object, the

witness did not say that. He said that it was

A. available for use until it was put into the

Q. storeroom. There is no testimony of use or with continuity of use at all.

Q. Was a decision made at any of the meetings to put

Q. the PDP-1 into the storeroom? capabilities of

A. I did not make the decision, so I don't know

A. exactly when the decision was made; but during

Q. conversations and meetings, it was determined that

A. no one had a specific use for it and in that sense the decision was made. thing.

Q. You stated that the PDP-1 was available for use

before it was put into the storeroom. Was it

A. actually used prior to that time? none.

A. I don't know specifically.

5

Q. Was it where you could observe whether it was being used or not? Particular reason for observing?

A. I have seen people working on it.

Q. Prior to the time it was put in the storeroom?

A. Prior to the time.

Q. Did you have anything to do with putting the PDP-1 into the storeroom? Information called Space War.

A. Just as I mentioned before.

Q. Just attending the meetings?

A. Yes, how was it made?

Q. Did you ever have any responsibility at all with respect to the PDP-1?

A. No specific assigned responsibility.

Q. Did you have any general responsibilities in any supervisory position?

A. Just a member of the division.

Q. What responsibility was that?

A. Working with the director, of course, for joint decisions, that type of thing.

Q. What were the circumstances under which you last saw the PDP-1 in October, 1975?

A. I believe I mentioned in the storeroom.

Q. Yes, in the storeroom. Why did he call me?



A. What do I mean by what condition?

Q. Did you have any particular reason for observing

Q. the PDP-1 at that time? Is to why you were the person

A. Yes. When the request was made?

Q. What was that? Use of my position in the department

A. The patent department had requested any information that was available on a thing called Space War.

Q. By whom was the request made?, please?

A. Mr. Etlinger.

Q. To whom was it made? (Whereupon, the previous

A. To me. question and answer were

Q. How was the request made? read back by the reporter.)

A. By telephone and conversation. desired to know

Q. Face to face? new anything about Space War?

A. Both that conversation?

Q. What did Mr. Etlinger say?

A. I don't remember his exact words, but something

Q. to the effect, do you know anything about Space

A. War. had to do with a patent infringement.

Q. That was over the telephone?

A. Yes. I believe so.

Q. Did he state why he called you? patents were involved?

A. He said it had something - why did he call me?

Q. Yes. he state what the subject matter was?

A. I don't think so, no. guess it was, TV games.

Q. Do you have any idea as to why you were the person of whom the request was made?

A. Probably because of my position in the department or the division.

Q. MR. WELSH: At any time regarding Space War. MR. ANDERSON: Would you read that question and answer back, please?

A. I don't remember.

Q. Was it ten?

A. Approximately.

Q. When was the first request?

A. (Whereupon, the previous question and answer were read back by the reporter.)

A. I don't remember.

Q. Did Mr. Etlinger state why he desired to know whether you knew anything about Space War?

A. In that conversation?

Q. Any conversation.

A. Yes. I had heard of it.

Q. What did he say was the reason?

A. It had to do with a patent infringement.

Q. Was it more specific?

A. I don't believe so.

Q. Did he state whose patent or patents were involved?

A. He just said that Sanders was involved.

Q. Did he state what the subject matter was?

A. It had to do with, I guess it was, TV games.

Q. How many conversations did you have with

A. Mr. Etlinger either by phone or face to face?

Q. When generally? MR. ANDERSON: At that time?

A. Around somewhere bet. MR. WELSH: At any time

Q. regarding Space War, or of it?

A. Through conversation. THE WITNESS: I don't remember.

Q. Was it ten?

A. Approximately.

Q. When was the first request in the conversation?

A. I don't remember specifically, but generally

Q. On first conversation?

A. I don't remember.

Q. When he asked you if you knew anything about

Q. Space War, what was your reply?

A. I said I had heard of it.

Q. Is that all?

A. Yes, the division.

Q. Did he ask you any further questions as to where

A. you had heard of it and when and so forth?

A. Yes.

Q. What were your replies to those questions?

A. I had heard about it at Sanders and I don't specifically know when.

Q. When did you first hear of Space War?

A. I don't know specifically, but it?

Q. When generally? about it?

A. Around somewhere between 1968 and 1970.

Q. How did you first hear of it?

A. Through conversation.

AQ. Where? a computer game played on the PDP-1, on the

A. In the division. P-1 specifically.

Q. What persons were involved in the conversation?

A. I don't remember specifically, but generally John Sauter.

MR. ANDERSON: At what time;

Q. Any others?

A. Mal Lemaire.

MR. WELSH: At the time he

Q. Did this take place at Sanders?

A. Yes.

MR. ANDERSON: Well, I object,

Q. Where? we have no foundation for that question.

A. In the division. What display were you referring to?

Q. That is the computer sciences division?

A. Yes. I was on the PDP-1.

Q. What about Space War did you first hear? name?

A. Well, I guess I don't understand. I object, it

what time? MR. ANDERSON: I object to

the question. MR. WELSH: he is referring to

Q. Well, when you say you first heard about Space War, what did you first hear about it? whether he

A. What did I hear about it? that he generally

Q. Yes, from the period of '68 to '70?

A. It was a game. MR. WELSH: No, he referred to

Q. What kind of a game? asking if he knows of any

A. It is a computer game played on the PDP-1, on the display of the PDP-1 specifically. Well, I object;

Q. What display did the PDP-1 computer at Sanders at that time have? Well, I object;

MR. ANDERSON: At what time;

I object. MR. ANDERSON: In other words,

did it come up at the MR. WELSH: At the time he discussed it, what display specifically

was employed? MR. ANDERSON: Well, I object, you have no foundation for that question. Don't ask

Q. Strike the question. What display were you referring to? referring to was.

A. Displays on the PDP-1. MR. WELSH: Well, he was

Q. Did that have some identifying number or name?

generally recalls MR. ANDERSON: I object, at

what time? Mal Lemaire and John Sauter; now, do you want to know what time? MR. WELSH: He is referring to a specific display on the PDP-1.

MR. ANDERSON: Whether he heard that in this conversation that he generally recalls from the period of '68 to '70?

Q. At the time you had MR. WELSH: No, he referred to a display and I am asking if he knows of any identifying number or a number?

A. Yes. MR. ANDERSON: Well, I object; do you mean that came up in this conversation in '68 to '70?

MR. WELSH: Yes. MR. ANDERSON: In other words, he said the PDP-1 was

Q. did it come up at that time? Did somebody say

A. In that conversation what display specifically

Q. Was employed? some identifying number or name?

A. I don't know. MR. WELSH: No, I didn't ask

Q. that question. I asked what the display he was

A. referring to was.

Q. Was anything else said? MR. ANDERSON: Well, he was referring to a general conversation that he generally recalls that involves some people, probably

A. including Mal Lemaire and John Sauter; now, do you  
Q. want to know what they told him at that time,  
A. Mr. Welsh? If not, there is no foundation that  
Q. he had any knowledge. Or do you mean what there  
A. was in it when it came and he saw it here in the  
Q. storeroom? It you have never played Space War on  
Q. At the time you had the conversation in which you  
A. first heard of Space War, was the PDP-1 computer  
Q. then located at Sanderse in Nashua, here? or other  
A. Yes, computer with a display?  
A. Not that I am aware of. MR. ANDERSON: And by here,  
Q. you mean in south Nashua, I take it? ever seen  
Space War played? MR. WELSH: That is where  
A. he said the PDP-1 was brought.  
Q. Did that PDP-1 have a display? under another name?  
A. Yes. MR. ANDERSON: Well, I object  
Q. Did it have some identifying number or name? ble  
A. I don't know. question if he doesn't. - if he  
Q. Is the name Type 30 display familiar to you? would  
A. I don't know. something else under another name.  
Q. Was anything else said about the game Space War  
when you first heard about it other than it was  
a game played on the PDP-1 display? If, he said not

A. Fun to play.

Q. Was it demonstrated to you? Did it played?

A. No. MR. ANDERSON: Well, I object

Q. Have you ever seen Space War played on a PDP-1?

A. Not to my recollection. Some other name. He just

Q. Then I take it you have never played Space War on a PDP-1?

A. Correct. seen any other games played on computers

Q. Have you ever seen Space War played on any other

A. computer with a display?

A. Not that I am aware of.

Q. Is it correct, then, that you have never seen Space War played?

A. Not under that name.

Q. Have you seen Space War played under another name?

Q. Did any details of MR. ANDERSON: Well, I object to the question. How would the witness be able to answer that question if he doesn't - if he

A. hasn't seen Space War? I don't know how he would relate it to something else under another name.

I think you should ask a proper and specific

Q. question. whenever a player saw on the screen of

the cathode ray tube. MR. WELSH: Well, he said not



A. under that name.

Q. Under what name have you seen it played? saw when

Space War was played? MR. ANDERSON: Well, I object to the question. There has been no testimony that he saw it played under some other name. He just

Q. said he has not seen a game played under the

A. name Space War. that the operator manipulated through

Q. Have you seen any other games played on computers with displays?

A. Yes. there was more than one game?

Q. What other games? A. Yes, that is what I heard.

A. I think they were referred to as ping pong, tennis, those types of games. Chess, tic-tac-toe. objection.

Q. Any others? A. Yes, that is what I heard.

A. Not that I can recall. game similar to that in

Q. Did any details of what the Space War game consisted of come to light in your discussions or a discussion at Sanders when you first heard of Space War?

A. What do you mean by details?

MR. ANDERSON: And come to light? been discussed

Q. What the observer or player saw on the screen of the cathode ray tube. A. Yes, that is what I heard.

A. Yes.

THE WITNESS: I guess - what

Q. And what were you told that the observer saw when Space War was played?

MR. ANDERSON: I object to the question as being hearsay.

Q. You may answer. It, I assume that the shot emanates

A. A rocket ship that the operator manipulated through a two-dimensional space and they "shot" at each other." Is that type of display exists?

Q. So there was more than one ship?

A. Two ships, I believe, that is what I heard.

Q. Were you told what they shot at each other with?

MR. ANDERSON: Same objection.

THE WITNESS: No.

Q. Have you ever seen any game similar to that in

A. which a player operates a ship or some similar

C. image that shoots something at another image?

MR. ANDERSON: You mean in

A. any context or do you mean in a CRT display?

Q. How about generally? MR. WELSH: The same context

A. we have been discussing.

Q. Where did you see this? MR. ANDERSON: In computers?

A. At one of the local MR. WELSH: Any CRT display.

THE WITNESS: I guess - what

Q. do you mean by shoot? a game played on a display -

Q. Well, what I understood you to mean when you

A. describe the operators manipulating rocket ships that shoot at each other.

A. Not having seen it, I assume that the shot emanates

A. from the source to the target. I have not seen any other game like that.

Q. In which that type of display exists?

A. Because again having observed the tennis, the ball is an independent item.

Q. Where did you first observe - strike that. You said first ping pong, tennis and similar games; did you intend to group those as one type of game on a cathode ray tube?

A. Not necessarily. It played on a cathode ray tube

Q. When did you first see a ping pong game on a

A. cathode ray tube? All available games are played

A. I don't know specifically. Later, so the answer is

Q. How about generally?

A. Several years ago. Tennis game you recall having

Q. Where did you see that?

A. At one of the local malls. A television marketing

A. type. It recall the specific - the first specific.

Q. Did you ever see such a game played on a display - a cathode ray tube associated with a computer?

A. I assumed - excuse me, I guess you need to define computer for me.

Q. A general purpose computer such as the PDP-1.

A. All right; would you ask the question again, then?

A. Yes and no. I have seen ping pong games played both. (Whereupon, the previous question was read back by the reporter.)

Q. When you referred to having seen a ping pong game

Q. I will rephrase the question. Did you ever see a ping pong game played on a cathode ray tube associated with a general purpose computer?

A. Not that I am aware of.

Q. Did you ever see it played on a cathode ray tube associated with a special purpose computer?

A. I assume commercially available games are played with a special purpose computer, so the answer is yes.

Q. stated that you had also seen a ping pong game

Q. With respect to the tennis game you recall having seen on a cathode ray tube, where did you see that? did you see that?

A. I don't recall the specific, - the first specific, incident. The one in the mall, the Nashua Mall would probably be one of the earliest.

Q. Was that a game in which a player inserted a coin?

A. Yes. When did you first see that?

Q. Was the same thing true of the ping pong game which you spoke of? or after you saw the coin-operated

A. Yes and no. I have seen ping pong games under both. I was not referring to a specific ping pong game. Did you first see a game of chess played on a

Q. When you referred to having seen a ping pong game

A. played several years ago at a local mall of a TV marketing type - - -

Q. What do you mean by TV marketing type? set as part

A. I thought it was a phrase you used.

Q. Was the ping pong game which you first saw several years ago at the Nashua Mall a coin-operated game? associated with a computer?

A. Yes. no recollection.

Q. You stated that you had also seen a ping pong game on a CRT that was not coin-operated?

A. Yes. at the Science Museum in Boston.

Q. Where did you see that?

A. I don't recall specifically, but I have seen them, for instance, in Sears and Magnavox. The home television type. You know, Christmas type of the promotions.

Q. And when did you first see that?

A. I don't recall.

Q. Was it before or after you saw the coin-operated ping pong game?

A. I don't recall.

Q. When did you first see a game of chess played on a cathode ray tube?

A. I guess my best recollection would be when Fisher beat Spasky.

Q. Was that then on a regular television set as part of a broadcast?

A. Yes.

Q. Did you ever see chess played on a cathode ray tube associated with a computer?

A. Not to my recollection.

Q. When did you first see tic-tac-toe played on a cathode ray tube?

A. I guess at the Science Museum in Boston.

Q. When was that?

A. Maybe four years ago.

Q. What type of computer was it?

A. MR. ANDERSON: I object to the question as being ambiguous. Do you mean the manufacturer or whether it was a general purpose or special purpose or the model number or what?

MR. WELSH: Anything he knows about it.

MR. ANDERSON: So the question is, then, what does he know about the computer that he saw at the Science Museum in Boston about four years ago playing tic-tac-toe?

THE WITNESS: It was advertised as a general purpose computer. It is part of an exhibit and I don't - the manufacturer is either Honeywell or DEC, but I am not sure.

Q. Did you simply observe the game of tic-tac-toe or participate in the playing of it?

A. Participated and observed.

Q. Have you ever observed or participated in the playing of any other games using cathode ray tubes?

A. Yes.

Q. What other games?

A. I guess it was table tennis.

Q. Any others? MR. ANDERSON: I object to

A. The list I mentioned before in terms of observation.

Q. I beg your pardon? issue in any litigation that

A. The list I mentioned before in terms of observation.

Q. Was the table tennis game you observed a broadcast

Q. game observed on a screen of a commercial TV set

or was it on a cathode ray tube associated with

A. a computer?

Q. When was the next time? MR. ANDERSON: You mean a War?

A. general purpose computer?

Q. Approximately when? MR. WELSH: Any kind of a

A. computer. A through the years.

Q. Were you aware of what? THE WITNESS: I don't know.

Q. Where did you observe it?

A. Sears Roebuck.

Q. Was there some device attached to a commercial

A. television set on which you observed it?

A. That particular game, I don't recall. It was a big

TV monitor there, I don't know.

Q. When did you observe that? MR. ANDERSON: I object to

A. Within the last year.

Q. Were any manufacturers' names associated with the



CRT or the game as you saw it?... an objection, I assume I answer the MR. ANDERSON: I object to the question and the line of questioning as less I irrelevant to any issue in any litigation that this deposition is being taken in to whether it is an admissible question. THE WITNESS: I don't know.

Q. Have you heard of Space Wars since the first end on discussion you had between 1968 and 1970?

A. Yes. I've and Sauter and, of course, Stlinger and a

Q. When was the next time that you heard of Space War?

A. I don't recall a specific time.

Q. Approximately when?

A. Off and on through the years.

Q. Were you aware of whether or not Space War was being played here at Sanders?

A. Only through conversation.

Q. Here at Sanders? with him?

A. Yes.

Q. And did that conversation indicate that it was being played?

MR. ANDERSON: Well, I object; what do you say?

MR. ANDERSON: I object to the question as hearsay. WITNESS: In a business

sense. THE WITNESS: Yes. I have a

Q. question, really. When you make an objection, I  
A. assume I answer the question?

Q. Does he work in the MR. ANDERSON: Yes, unless I

A. instruct you not to answer. That is only for

Q. later consideration by a judge as to whether it is

A. an admissible question and answer or not.

Q. From whom did you hear about Space War off and on

A. through the years?

A. Lemaire and Sauter and, of course, Etlinger and a  
fellow named Reiner.

Q. What is Mr. Reiner's name?

A. Matthew Reiner. Is he a programmer?

Q. Is he an employee of Sanders? official title,

A. Yes. He works in the military data systems

Q. How are you acquainted with him?

A. What do you mean? to say to you about Space War?

Q. Are you acquainted with him? about John Sauter's

A. Yes. is it of a PDP-11 version.

Q. How are you acquainted with him?

MR. ANDERSON: Well, I object  
object; what do you mean by how?

THE WITNESS: In a business  
sense.

Q. Does he work under you? All you about that?

A. No. asked him.

Q. Does he work in the computer sciences division?

A. No. and no.

Q. How did you become acquainted with him?

A. Just through normal business contacts. asked me to

Q. What position does he hold at Sanders? and what

A. He is a programmer. reported.

Q. You say he did not work for the computer sciences division? Reiner about Space War?

A. That is correct. really asked to go see Mr. Reiner.

Q. Where in Sanders is he a programmer? your response

A. I am not sure that that is his official title, but he works in the military data systems

A. division.

Q. What did he have to say to you about Space War?

A. He told me what he recalled about John Sauter's acquisition of a PDP-11 version.

Q. What else did he tell you? MR. ANDERSON: I object to the question as to MR. ANDERSON: Well, I object on the ground of hearsay.

THE WITNESS: That is about it.

Q. How did he happen to tell you about that?

A. I asked him.

Q. Were you requested to ask him?

A. Yes and no.

Q. Could you explain that answer, please?

A. As I mentioned earlier, Mr. Etlinger asked me to find out what I could about Space War and what we had around the company.

Q. What did you mean by, no, you were not requested to ask Mr. Reiner about Space War?

A. I was not specifically asked to go see Mr. Reiner.

Q. So you went to see him as a part of your response to the general question by Mr. Etlinger, is that correct?

A. Correct.

Q. What did Mr. Frisbie say that Mr. Sauter had said about the acquisition of a PDP-11 version of Space War?

MR. ANDERSON: I object to the question as lacking a foundation and hearsay. You said Mr. Frisbie?

THE WITNESS: That was my question.

Q. I will rephrase it. Strike the question. What did Mr. Reiner tell you that Mr. Sauter had said about the acquisition of the PDP-11 version? PDP-11 version, did MR. ANDERSON: I object to the question as hearsay compounded on hearsay. available?

A. Yes. THE WITNESS: He said that he had acquired a version which he modified for the PDP-11 using a Sanders display. source around.

Q. Did Mr. Reiner have any or indicate any personal knowledge to you of the playing of Space War on the PDP-11? that information to anyone else?

A. I don't recall.

Q. Is it correct that you have not seen Space War played on a PDP-11? East Atliner's office, I

should say. MR. ANDERSON: I object, the question has been asked and answered, but you may answer: War from Mr. Reiner?

A. Not that I recall. THE WITNESS: That is correct.

Q. Did Mr. Reiner say anything else to you about Space War? information available on Space War?

A. Specifically, I recall. MR. ANDERSON: I object on the ground of hearsay. several of my people to find out if they knew anything. THE WITNESS: What do you ask

mean by anything else?

Q. Well, you stated that he advised you as to what Mr. Sauter had said about the acquisition of a PDP-11 version, did Mr. Reiner say anything else such as whether such a version was then available?

A. Yes.

Q. What?

A. He said that he thought he had the source around.

Q. Did you ask him to obtain the source?

A. No.

Q. Did you relay that information to anyone else?

A. Yes.

Q. To whom?

A. To Etlinger. At least Etlinger's office, I should say.

Q. Did you obtain any documents or things relating to Space War from Mr. Reiner?

A. Not that I recall.

Q. What else did you do in response to Mr. Etlinger's request for information available on Space War?

A. Specifically, I talked to Ted Mairson. I also talked to - I queried several of my people to find out if they knew anything about Space War, such as

Q. Lemaire, Perkins. ~~anyone else other than Mr. Perkins?~~  
Q. Lemaire and who? ~~Lemaire and Mr. Perkins?~~  
A. Don Perkins, and I went looking for what was  
available.  
Q. Did you find anything? ~~to the~~  
A. I found the PDP-1 and a paper tape. The leader  
on the paper tape said Space War, I believe.  
Q. Did you find anything else?  
A. Other paper tapes and things laying around.  
Q. Relating to Space War? else?  
A. I don't know. In fact, I do not know that the  
paper tape that said Space War ~~and~~ had Space War  
on it, I do not know. I did not read the paper  
tape. MR. ANDERSON: I object on  
Q. Where did you find the paper tape which said  
Space War on it? THE WITNESS: He told me that  
A. I believe on the console of the PDP-1.  
Q. Was that at the same time that you observed the  
A. PDP-1 in the storeroom that you referred to earlier?  
A. Yes. do you mean by it?  
Q. Did you find anything else in your search for  
information available on Space War?  
A. I don't believe so.

*John R. Anderson May 76*

Q. Did you talk to anyone else other than Mr. Reiner, Mr. Mairson, Mr. Lemaire and Mr. Perkins?

A. Other than the lawyers? . ANDERSON: Did you say

Q. Yes.

A. Yes, I talked to some <sup>ONE IN</sup> ~~of our operations-~~ to the operations manager to find out specifically where the PDP-1 was located. ~~her paper tapes lying around~~

Q. What is his name?

A. I guess that was Roger Lehr. ~~Q. What was your~~

Q. Did you talk to anyone else?

A. Not that I recall. ~~Q. Tapes with Mr. Mairson or~~

Q. What did Mr. Mairson tell you regarding Space War when you talked to him?

Q. Did Mr. Mairson say MR. ANDERSON: I object on the grounds of hearsay. ~~ed to him?~~

THE WITNESS: He told me that the he received it with the machine.

Q. The PDP-1? THE WITNESS: What do you mean

A. Yes, I assume so.

Q. What do you mean by it? ~~at he had received the~~

A. The program. ~~Q. in the form of a paper tape with~~

Q. Did he say what form the program was in? ~~ing else~~

A. I believe a paper tape.

*John Hope* 28 May 76



290 Q. Did you discuss the paper tapes that you had found with Mr. Mairson? MR. ANDERSON: Did you say tape?

Q. Did you ask him for AMP. WELSH: I said tapes because he said he found one tape with he said Space War on it and other paper tapes laying around the PDP-1 console?

A. No.

THE WITNESS: What was your question again?

291 Q. Did you discuss those tapes with Mr. Mairson or any one of them?

A. I don't recall.

292 Q. Did Mr. Mairson say anything else regarding Space War when you talked to him?

Q. Well, did he tell you MR. ANDERSON: I object on the grounds of hearsay.

A. THE WITNESS: What do you mean by anything else?

293 Q. Well, you just stated that he had received the

A. Space War program in the form of a paper tape with the PDP-1 machine, did he tell you anything else about the Space War?

A. Not that I recall.

Q. Did you discuss with him how Space War was played or what it consisted of?

A. No.

Q. Did you ask him for any documents or things relating to Space War?

A. Yes.

Q. Did he give you anything?

A. No.

Q. Did he state whether he had anything?

A. I believe he said he had nothing.

Q. Did Mr. Lemaire supply any information to you regarding Space War when you talked to him?

A. What do you mean by supply any information, like paper tapes, things like that?

Q. Well, did he tell you anything about Space War or supply any documents or things such as a tape?

A. No.

Q. Did he state whether he was familiar with Space War?

A. I guess - I don't recall.

Q. Do you recall anything about the conversation with him regarding Space War?

A. Basically that he did not know where any of the sources or documentation was; and other than recalling conversations over the years, I don't recall any specific information that he provided.

MR. WELSH: Could I have that answer back, please?

(Whereupon, the previous answer was read back)

I guess he did not know where any of the sources were or any of the documentation for it and that

Q. Were they conversations that he recalled that you referred to?

MR. ANDERSON: I object to the question, it is hearsay. You have not established that this witness has any knowledge of those conversations at all and you are asking the question in that sense.

THE WITNESS: I guess you are going to have to repeat the question, please?

Q. Well, you stated he supplied no information other than recalling conversations over the years?

A. That he and I had had.

MR. WELSH: I see we have

reached the noon hour, let's break for lunch.

(Whereupon, the luncheon

recess was taken.)

Q. (By Mr. Welsh) \* In your discussion with Mr. Perkins when you were seeking information regarding Space War, what did he tell you that he knew about Space War?

A. I guess he did not know where any of the sources were or any of the documentation for it and that it was played on the PDP-1.

Q. Did he indicate whether he had played it? \*  
A. MR. ANDERSON: I object on the ground that the question asks for hearsay.

THE WITNESS: I don't recall.

Q. Did he provide you with any information regarding Space War?

A. No additional information.

Q. In your search for information regarding Space War in response to Mr. Etlinger's request, did you turn over any documents or things to him or any people in his department that you had found?

A. Yes.

Q. What did you turn over to him? to Ted, for

A. A paper tape and a copy of the - I think it was the agreement on the purchase of the PDP-1. In fact, it wasn't even really an agreement, it was more like a purchase order or something of that sort.

A. It was a one sheet of paper type thing. call

Q. I hand you what has previously been marked as

Q. Sander's Exhibit 5 and ask if that is the paper tape which you turned over to Mr. Etlinger?

A. It appears to be. tape, Exhibit 5?

Q. When did you turn that over to him?

A. I don't recall specifically, but I believe it was in the October, '75, time; and again when I say turn over to Mr. Etlinger, this is his office.

I don't know if I specifically turned it over or gave it to him.

Q. In your seeking of information in response to Mr. Etlinger's request, did that activity extend over a period of time or did you do it just once and then stop?

A. Well, it extended over a period of time.

Q. Approximately what period?

A. Off and on for about a week. When I say a week,

I may not have been able to talk to Ted, for instance, the particular day that Mr. Etlinger talked to me, that type of thing.

Q. And did you turn over Exhibit 5 to him at the end of that period?

A. During that period sometime; I don't recall specifically when.

Q. Did you turn over the papers relating to the purchase of the PDP-1 to him at the same time that you turned over the tape, Exhibit 5?

A. The same time period.

Q. I hand you two papers which have been marked as Exhibit 64 and ask if those are the papers you referred to relating to the purchase of the PDP-1?

A. Yes, they appear to be.

Q. Where did you obtain those before you handed them over to Mr. Etlinger or someone from his office?

A. I don't recall specifically. It was either in the files of the operations department or in the division files.

Q. But they were files of Sanders which you examined?

A. Yes. I did not examine the files, I had a

secretary retrieve what information we had relative to the PDP-1.

Q. But these did come from Sanders' files?

A. Yes. Exhibit 64?

Q. And was the search for them made during that same

period when you were interviewing or seeking first information regarding Space War?

A. Yes. At that time I was seeking information in regards to the PDP-1, not Space War specifically.

Q. Was that a different period of investigation?

A. No, at the same time, but it was just that the question that I asked related to the PDP-1 rather than Space War specifically.

Q. Did you turn over to Mr. Etlinger the originals?

A. Of the documents which you found relating to the purchase or were copies made?

A. I don't recall. I do recall I did not have the original. I had a copy similar to this. I don't recall whether I made a copy of the copy or not.

MR. ANDERSON: When the witness said similar to this, he was referring to

Sanders' Deposition Exhibit 64. Next, State

Q. Do you recall the second of the two pages as being

somewhat illegible? course that you took?

A. Yes. is a two-year course.

Q. In a manner similar to the second of the two pages of Exhibit 64?

A. Yes.

Q. Were the two pages attached together when you first obtained them?

A. Yes. did you obtain that?

Q. Did you turn over to Mr. Etlinger in response to his request for information regarding Space War any documents other than the tape, Exhibit 5, or the two sheets, Exhibit 64?

A. Not that I can recall.

Q. Do you have a formal education after high school?

A. Yes. science and engineering?

Q. And what was that?

A. I have an associate degree in science and

engineering; a bachelor of science <sup>IN</sup> and management; and an MBA. did you obtain your MBA?

Q. From what institution did you receive the associate of science and engineering?

A. I believe it is called Southern Connecticut State College. did you attend school?

*John H. J. 28 May 76*



Ref

Q. Is that a four-year course that you took?

A. That is a two-year course.

Q. Did you obtain a degree of bachelor of science <sup>IN</sup> and management?

A. Yes.

Q. Where did you obtain that?

A. Northeastern University.

Q. When did you obtain that?

A. I completed that about 1972.

Q. 1972?

A. Yes.

Q. When - - -

A. '71 or '72, I am not sure which.

Q. When did you complete your work for an associate of science and engineering?

A. '59.

Q. Where is Northeastern University located?

A. Boston, Massachusetts.

Q. Where did you obtain your MBA?

A. Northeastern.

Q. When did you obtain that?

A. 1975.

Q. Is that a night school?

A

*Detrick Jr 28 May 76*

A. Yes. that I know of.

Q. Or a correspondence course? With Mr. Sauter?

A. No, night school. They run both day and night.

Q. Have you ever visited any computer facility at Massachusetts Institute of Technology?

A. I may have. over the question.

Q. Did you ever observe there any demonstration of any program on a computer with a cathode ray tube display?

A. Not that I recall.

Q. Other than the game of tic-tac-toe you referred to, have you ever observed any demonstration program on a cathode ray tube associated with a general purpose computer?

A. Not that I can recall.

Q. Are you acquainted with Mr. Ralph Baer?

A. I have heard the name. I may have met him; I can't visualize him.

Q. Have you ever had any conversations with him?

A. I may have during the course of the years.

Q. Are you acquainted with Mr. William Rusch?

A. Not that I know of. worked directly under you from

Q. How about Mr. William Harrison? over the management

A. Not that I know of. until he left.

Q. Did you work very closely with Mr. Sauter?

A. Did he work directly MR. ANDERSON: I object to the question as vague and ambiguous. What does very closely mean?

Q. You may answer the question. years.

A. I would say no. little more specific as to when

Q. Did Mr. Sauter ever work directly under you?

A. Yes. I would check, I don't recall any more specifically

Q. During what period? get the information for you,

A. Shortly after I took over the management of the department until he left. WELSH: I would like to

Q. And you took over the management of the department four or five years ago? ANDERSON: All right; the

A. Approximately. Mr. Frisbie was assigned to his

Q. Did Mr. Sauter work for anyone else during that time? MR. WELSH: Of systems software

A. What do you mean?

Q. During the time that he was working under you, that

A. What do you mean by working for someone else, administratively? Mr. Frisbie is gone on my

Q. Well, you stated he worked directly under you from the time shortly after you took over the management

of the department until he left. Yes, based on your

A. Yes. representation.

Q. Did he work directly under anybody else? right.

A. During that period, yes, he worked for Mal Lemaire.

Q. During the full time? any work he was doing on

A. No, for the first, say, two years. later at Sanders?

Q. Could you be a little more specific as to when

Q. you first became manager of the department?

A. I could check; I don't recall any more specifically

Q. than that. I could get the information for you,

A. obviously.

Q. Did he seek your permission? MR. WELSH: I would like to

A. have that information, Mr. Anderson.

Q. What did he say with? MR. ANDERSON: All right; the

date on which Mr. Frisbie was assigned to his

A. present position? on a copy, a PDP-11 copy of the

program and that he MR. WELSH: Of systems software  
manager.

Q. Did he say where he MR. ANDERSON: We will get that

A. information for you. Can we just give you that

information after Mr. Frisbie is gone on my

representation that it is from the records of

Sanders? point plotting type of display?

Q. How about vector? I MR. WELSH: Yes, based on your representation, but if you mean by point, a series of points, MR. ANDERSON: All right.

Q. During that period when Mr. Sauter was working under you, did he discuss any work he was doing on programming Space War for any computer at Sanders?

A. Yes, we heard the term, but raster scan doesn't

Q. When did he discuss that with you?

A. I guess about 1974 or 1975, else with respect to

Q. Did he say what computer he was working with?

A. The PDP-11.

Q. Did he seek your permission to do this work?

A. No, used as a demonstration program or a test

Q. What did he say with respect to working on such a program? recall.

A. That he had gotten a copy, a PDP-11 copy of the program and that he had modified it for the ADDS 500, a test program for any hardware

Q. Did he say where he got the program?

A. I don't recall, aware of.

Q. What is the ADDS 500? Sanders giving a demonstration

A. It is a Sanders graphic display, at Sanders?

Q. Is that a point plotting type of display?

- A. How about vector? I am not that familiar with graphics technology, but if you mean by point, a series of points, it doesn't; it draws a vector from Point A to Point B. It is a continuous type.
- Q. Are you familiar with the raster scan type of the display? program to anyone outside of Sanders?
- A. I have heard the term, but raster scan doesn't conjure up anything for me. do anything further
- Q. Did Mr. Sauter say anything else with respect to that the program for the PDP-11 on Space War?
- A. Such as? I can recall.
- Q. Did he state whether he was suggesting that it be used as a demonstration program or a test program?
- A. Not that I recall. MR. WILSON: That completes
- Q. Do you know whether in fact it has been used, the Space War program has been used, as a demonstration or test program for any hardware of Sanders? MR. WRIGHT: No, I do not.
- A. Not that I am aware of. (Anderson.)
- Q. Did Mr. Sauter ever discuss giving a demonstration of Space War on the PDP-11 here at Sanders?
- A. What do you mean by demonstration, to outside

Q. customers? Only when did you say that that was?

Q. Either to outside customers or people within

Q. Sanders such as members of the patent department?

A. Nothing at that time involved in the game?

Q. Did he ever discuss giving a demonstration of the Space War program to anyone outside of Sanders?

A. Not that I recall.

Q. Did you receive a request to do anything further to supply information regarding Space War after that first period in October of 1975?

A. Not that I can recall the inside of the

Q. And did you furnish any information or documents or things after that time?

A. No, you at any time see the inside of the TV set that you saw?

MR. WELSH: That completes my examination of Mr. Frisbie.

Q. Did you investigate MR. ANDERSON: Mr. Wright, do you have any examination of Mr. Frisbie?

A. MR. WRIGHT: No, I do not.

Q. (Interrogatories by Mr. Anderson.) had seen a

Q. Mr. Frisbie, you stated, I believe that you saw a game being played on a TV monitor at Sears?

A. Yes.

- Q. Approximately when did you say that that was?
- A. Within the last year.
- Q. Specifically what pieces of equipment, do you recall seeing at that time, involved in the game?
- A. Some type of monitor and there was some type of of a unit, something like a stick to manipulate or move the paddles.
- Q. And did the stick extend from something?
- A. Yes, some type of a small console. I don't remember it specifically.
- Q. Did you at any time see the inside of the console?
- A. No.
- Q. Did you at any time see the inside of the TV set that you saw?
- A. No.
- Q. Did you investigate in any way the manner in which it was wired up?
- A. No.
- Q. I think you also testified that you had seen a game played on a coin-operated machine at one time or another?
- A. Yes.



Q. And approximately on how many occasions have you seen that? And after you have read it and

A. Every time I go to that mall which is, you know, maybe a dozen times. Is acceptable to you?

Q. What is the earliest recollection that you have of seeing a coin-operated game of that type played let's on a video display? Sure.

A. I can't really be specific, it has been several years. I had no occasion to remember the date. You

Q. Have you at any time seen the inside of one of those coin-operated games?

A. No.

Q. Have you ever investigated the wiring or the circuitry of one of them? ANDERSON: Mr. Welsh,

A. No. We terminated Mr. Frisbie's deposition, he went and checked in. MR. ANDERSON: No further cross-examination. And advised us that he assumed his present position. MR. WELSH: I have no further direct. May we have the same procedure or agree to the same procedure with respect to his signing before any notary and making corrections?

MR. ANDERSON: All right.

Mr. Frisbie, we would like to have you read the

transcript of this testimony when the reporter has completed it; and after you have read it and made any necessary corrections, sign it before any Notary Public, is that acceptable to you?

THE WITNESS: Yes.

MR. ANDERSON: All right; let's agree to that procedure.

MR. WELSH: Agreed.

MR. ANDERSON: All right; you are excused.

(Whereupon, a recess was taken.)

MR. ANDERSON: Mr. Welsh, after we terminated Mr. Frisbie's deposition, he went and checked the record and he has just called on the phone and advised us that he assumed his present position as manager of corporate systems software division in October, 1971.

Joseph A. Frisbie Jr.  
Deponent

THE STATE OF NEW HAMPSHIRE)  
COUNTY OF Hillsborough) SS.

Subscribed and sworn to before me this 28th  
day of May 19 76.

Marilyn E. Trapalis  
Notary Public

Marilyn E. Trapalis

Notary Public

My Commission Expires March 19, 1980